



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/706,757	11/12/2003	Stephen Y. Chou	PRUN-100US	7832

1688

7590

05/04/2009

POLSTER, LIEDER, WOODRUFF & LUCCHESI
12412 POWERSCOURT DRIVE SUITE 200
ST. LOUIS, MO 63131-3615

EXAMINER

ART UNIT PAPER NUMBER

DATE MAILED: 05/04/2009

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/706,757

Applicant(s)

CHOU ET AL.

Examiner

Binh X. Tran

Art Unit

1792

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 April 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6, 8, 10-17, 19, 30, 35-47 and 49-55 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. The reply filed on 04-30-2009 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):

The applicant's amendment with claims 1, 3, 16, 39, 50-54 is considered non-compliant because it failed to meet the requirement of 37 CFR 1.121. Specifically, applicants used improper status identifier and improper marking for the following claims 1, 3, 16, 39, 50-54.

In claim 1, the applicants use the status identifier "(Previously Presented)". However, it is noted that applicants amended claim 1 by replacing "wherein the polymeric composition comprises a thermosettable polymeric composition and a photocurable polymeric composition or both" (as show in the amendment filed on 6-30-2008) to --wherein the polymeric composition comprises a thermosettable polymeric composition and a photocurable polymeric composition-- (i.e. the phrase "or both" was deleted). Applicants cannot use the status identifier "Previously Presented" if applicants wish to amend claim 1. Further, if applicants wish to amend claim 1, applicants must use the status identifier "Currently amended" along with appropriate markings (i.e. the text of any deleted matter must be shown by strike-through).

In claim 3, the applicants use the status identifier "(Previously Presented)". However, it is noted that applicants amended claim 3. Specifically, applicant replaced "poly(ethylene-co-vinylacetate" (emphasis added to show the difference) to --

poly(ethylene-co-vinylacetate)--. Applicants also replaced "poly(chlorotrifluoroethylene-co-vinylidene fluoride) to -- poly(chlorotrifluoroethylene-co-vinylidene fluoride)--. Again, applicants cannot use the status identifier "Previously Presented" if applicants wish to amend claim 3. Further, it appears that the applicants amendment result to incorrect spell for these compounds.

In claim 16, it is noted that applicants delete the phrase "a lubricant" from the claim. However, applicants failed to use the strike-through symbol to show the delete matter. According to 37 CFR 1.121, the text of any deleted matter must be shown by strike-through.

In claim 39, the applicants use the status identifier "(Previously Presented)". However, it is noted that applicants amended claim 39. Specifically, applicant replaced "poly(ethylene-co-vinylacetate)" (emphasis added to show the difference) to -- poly(ethylene-co-vinylacetate)--. Applicants also replaced "poly(chlorotrifluoroethylene-co-vinylidene fluoride) to -- poly(chlorotrifluoroethylene-co-vinylidene fluoride)--. Again, applicants cannot use the status identifier "Previously Presented" if applicants wish to amend claim 39. Further, if applicants wish to amend claim 39, applicants must use the status "Currently amended" along with appropriate markings. Further, it appears that the applicant's amendment resulted to incorrect spell for these compounds.

In claims 50-54, applicants use the status "Previously Presented". However, claims 50-54 in the amendment filed on 04-30-2009 are totally different from claims 50-54 in the previous amendment filed on 06-30-2008. Again, applicants cannot use the status identifier "Previously Presented" if applicants wish to amend these claims.

Further, if applicants wish to amend these claims applicants must use the status "Currently amended" along with appropriate markings.

See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Conclusion

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Binh X. Tran whose telephone number is (571)272-1469. The examiner can normally be reached on Monday-Thursday and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nadine Norton can be reached on (571) 272-1465. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

Art Unit: 1792

USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Binh X Tran
Primary Examiner
Art Unit 1792

/Binh X Tran/
Primary Examiner, Art Unit 1792